

EXHIBIT “M”

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Via ECF

December 17, 2021

Hon. Debra C. Freeman
United States District Court
Southern District of New York
500 Pearl St.
New York, NY 10007

Re: **Case # 19-cv-09407 - Ameriway Corp. v. May Yan Chen and Ability Customs Inc. – JOINT-LETTER MOTION TO AMEND CASE MANAGEMETN SCHEDULE**

Dear Judge Freeman:

This letter is filed in response to Defendants' letter filed on December 17, 2021 (Dkt. No. 79).

The parties entered into a Case Management Plan and Scheduling Order (Dkt. No. 55) on September 1, 2020, in which fact discovery was to be completed by 12/31/2020, depositions were to be completed by March 31, 2021, Requests for Admissions were to be completed by 4/30/21, and expert discovery was to be completed by 9/30/2021.

As your Honor is aware, the parties had disputes on a number of discrete issues relating to each other's responses to certain document production requests (Dkt. No. 66), and the parties submitted a "Joint Letter Motion to Amend Scheduling Order" on March 26, 2021 (Dkt. No. 68), which *extended only the deadlines for depositions, requests for admissions and expert discovery*.

Per the Court's instruction during the December 15 conference, the parties exchanged several emails proposing new discovery deadlines. Plaintiff agreed to Defendants' proposed deadlines for deposition, requests for admission, and expert discovery. However, Defendants' counsel took the position that fact discovery is now reopened, and no longer limited to the party's defined disputes outlined in Docket No. 66. Plaintiff's counsel objected that such a proposal improperly reopens the entire discovery proceeding, is contrary to the approved Case Management Plan, and may potentially throw the fact discovery process into an endless loop. Defendants' counsel then filed their letter without Plaintiff's counsel's consent.

In response, Plaintiff hereby proposes the following deadlines:

1. The date by which depositions are to be completed shall be July 31, 2022;
2. The date by which requests for admissions are to be served shall be May 31, 2022;

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3. The date in which expert discovery is to be completed shall be October 30, 2022;
4. All dispositive Motions shall be filed by December 31, 2022.
5. Fact discovery shall be considered closed as soon as all issues raised in Dkt. No. 66 are resolved.

Respectfully submitted,

By: s/Xiyan Zhang
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Attorney for Plaintiff
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